IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re applation of: Howard Sands

109/782,184

Group No.: 1615
Examiner: Unassigned

Filed: February 12, 2001

For: Injectable pharmaceutical composition comprising microdroplets of a camptothecin

Commissioner for Patents Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed March 26, 2001. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

POWER OF ATTORNEY

III. Enclosed is an original Power of Attorney by Assignee to Exclusion of Inventor.

COMPLETION FEES

1.	Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$710.00
2.	Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$90.00
3.	Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$0.00
4.	Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))	\$130.00
5.	Assignment (See "ASSIGNMENT COVER SHEETS – (2)	\$80.00
6.	Total completion fees	\$1,010.00

EXTENSION OF TIME

IV. A three-month extension of time fee is due.

Fee Due: \$890.00

REOUEST FOR CORRECTED FILING RECEIPT

V. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. There are errors with respect to the following, which are incorrectly entered.

Error in

Correct data

1. Applicant name and/or addresses

- Howard Sands, Wilmington, DE; Awadhesh Mishra, Quebec, Canada

At least one of the above corrections is due to applicant's error and the fee under 37 C.F.R. 1.19(h), of \$25.00 applies.

TOTAL FEE DUE

VI. The total fee due is: Completion fees \$1,010.00, Extension of Time Fees \$890.00, Corrected Filing Receipt Fees \$25.00

TOTAL FEE DUE \$1,925.00

PAYMENT OF FEES

VII. Charge Account No. 23-2415 (12636-898) in the amount of \$1,925.00.

Please charge Account No. 23-2415 (12636-898) for any fees that may be due by this paper.

08/24/2001 MBERHE 03 FC:117 00000065 232415 09782184

890.00 CH

Shirley Chen, Reg. No. 44,608

Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304 (650) 493-9300

(650) 493-9300 Customer No. 021971

CERTIFICATE OF EXPRESS MAILING (37 C.F.R. 1.8)

"Express Mail" Mailing Label No. EL682477060US.

I hereby certify that this paper or fee is being deposited, with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date: 8/20/01

Donna L. Hengst Donna L. Hengst

PTO/SB/01 (12-97) Approved for use through 9/30/00.OMB 0651-0032 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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ARATION FOR UTILITY OR **DESIGN** ATENT APPLICATION (37 CFR 1.63) \boxtimes

Declaration Submitted with Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	12636-898
First Named Inventor	Sands
COMPLE	TE IF KNOWN
Application Number	09/782,184
Filing Date	February 12, 2001
Group Art Unit	1615
Examiner Name	Not Yet Assigned

As a below named Invent	or, I hereby dec	clare that:						
My residence, post office	address, and c	itizenship are as stated belo	ow next to my na	me.				
		inventor (if only one name atter which is claimed and f						
INJECTABLE PHARMACEUTICAL COMPOSITION COMPRISING MICRODROPLETS OF A CAMPTOTHECIN								
		(Title of the I	nvention)					
the specification of which is attached hereto								
was filed on (MM/	DD/YYYY)	02/12/01	as United	States Applica	ation Number or F	CT International		
Application Number 09/782	2,184 and was	amended on (MM/DD/YYY	Y) [(if appli	cable).				
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.								
I acknowledge the duty to d	isclose informa	tion which is material to pat	entability as defi	ned in 37 CFF	R 1.56.			
I hereby claim foreign prio certificate, or 365(a) of an America, listed below and I or of any PCT international	y PCT internat nave also identi	ional application which des fied below, by checking the	signated at leas box, any foreig	t one country n application	other than the for patent or inve	United States of		
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Prior Not Cla		Certified Co YES	py Attached? NO		
Number(s)	Country	(IVIIVI/DD/TTTT)						
Additional foreign applic			•			to:		
I hereby claim the benefit u		119(h) of any United States	provisional app	lication(s) liste	d below.			
Application Number	ir(s)	Filing Date (MM/DD	/	numb suppl	ional provisional a pers are listed on lemental priority d SB/028 attached	a lata sheet		

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

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		-													
Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.															
Direct all correspond	Direct all correspondence to: ☐ Customer Number or Bar Code Label OR ☑ Correspondence address below														
Name	David	J. Weitz	Weitz												
Address	Wilso	n Sonsini Goodri	h & R	osati											
Address	650 P	age Mill Road													
City	Palo /	Alto					State	C.	Α	ZIP	9430	4			
Country	U.S.		Tele	ephone	650-	493-9	93-9300 Fax 650-4					-493-6811			
I hereby declare the believed to be true punishable by fine application or any p	and fur	ther that these sta	atemen	its were	made with	the	knowledge	that	willful	false st	atemen	its an	d the	like so mad	le are
Name of Sole	or Fir	st Inventor:				A p	etition has	s be	en file	d for th	is uns	igne	d inve	entor	
Giver	Name	(first and middle	e (if ar	ıy)			_		Fami	ly Nam	e or S	ırnar	ne		
		Howard		0						Sa	nds				
Inventor's Signat	ure	Hus	1	D							Da	ate	9/2	4/0/	
Residence: City		/ Wilmingtor	s	state	Delawa	re	Country			JS	Citi	zens	hip	US	
Post Office Addre	ess	2417 Landon I	Orive,	Wilming	jton, DE	1981	0								
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☐ Additional inve	ntors ar	e being named o	n the _	supp	lemental /	Addit	ional Inver	itor(s) she	et(s) PT	O/SB/0)2A a	ttache	ed hereto:	

Please Type a plus sign (+) inside this box

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

Name of Additional	Name of Additional Joint Inventor, if any:					A petition has been filed for this unsigned inventor							
Given Name	(first and middle (i	f any)		Family Name or Surname									
	Awadhesh			Mishra									
Inventor's Signature								Date					
Residence: City	Quebec	State	Verdun Country CANADA					Citizensh	ip	India			
Post Office Address	670 De Gaspe #2	670 De Gaspe #210, Nuns Island, Verdun Quebec H3E 1H8 CANADA											
Post Office Address													
City	Quebec	State	Verdun ZIP H3E IH8			Country		CANADA					
Name of Additional			A petition h	nas	been filed for	this unsig	ned	inventor					
Given Name		Family Name or Surname											
Inventor's Signature				,				Date					
City		State			Country			Citizensh	ip				
Post Office Address													
Post Office Address													
City		State			ZIP			Country					
Name of Additional	Joint Inventor,	if any:			A petition I	nas	been filed for	this unsig	ned	inventor			
Given Name	(first and middle (i	f any)		Family Name or Surname									
Inventor's Signature								Date					
City		State			Country			Citizensh	ip	_			
Post Office Address													
Post Office Address													
City		State			ZIP			Country					

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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ŒΝ	18 P	PATEN	A TI	PPL	LICATION	COMPLETE IF KNOWN				
		(3	37 C	FR 1	1.63)	Application Number	09/782,184			
		Declaration Submitted		\boxtimes	Declaration Submitted after Initial	Filing Date	February 12, 2001			
1		with Initial Filing	OR		Filing (surcharge (37 CFR 1.16(e))	Group Art Unit	1615			
1		· iiiig	9		required)	Examiner Name	Not Yet Assigned			

						_		
As a	below named Invent	tor, I hereby de	clare that	t:	- -			
My r	esidence, post office	address, and	citizenshi	p are as stated belo	ow next to my na	ıme.		
I beli	eve I am the origina es are listed below) o	I, first and solo of the subject r	e inventor natter whi	(if only one name ich is claimed and f	is listed below) or which a paten	or an original, It is sought on	first and joint inv	entor (if plural tled:
-	INJECT			ACEUTICAI OPLETS OF		_		G
		······································		(Title of the li	nvention)			
the s	pecification of which is attached hereto OR			·	·			
\boxtimes	was filed on (MM/	DD/YYYY)	0:	2/12/01	as United	States Applica	ation Number or P	CT International
Application Number 09/782,184 and was amended on (MM/DD/YYYY) [(if applicable).								
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.								
I ackno	I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.							
certifica Americ	I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or []365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.							
Prior F	oreign Application Number(s)	Country		oreign Filing Date (MM/DD/YYYY)	Prior Not Cla		Certified Cor	py Attached? NO
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I hereb	y claim the benefit u	nder 35 U.S.C	. 119(h) o	f any United States	provisional app	lication(s) liste	d below.	
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(Page 1 of 2)

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between the filing	date of	the prior applicat	ion and	I the na	tional or l	PCT i	internatio	nal fili	ing dat	of this	application	on.	became available		
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As a named invented Patent and Tradema					ed practit stomer Nu			secute 971	this ap	plication	and to tr	ansact	all business in the		
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				Registered practitioner(s) name/registration name/registration						on numb	er listed t		Registration		
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Additional regis	tered pr	actitioner(s) name	d on su	pplemer	ntal Regis	tered	Practition	er Info	ormatio	n sheet F	TO/SB/02	C attac	ched hereto.		
Direct all correspo	ondence	e to:			Γ] (OR 🖾 (Correspo	ndence	address below		
Name	David	J. Weitz													
Address	Wilso	n Sonsini Goodri	ch & R	osati											
Address	650 P	age Mill Road													
City	Palo /	Alto					State	С	CA ZIP 94304						
Country	U.S.		Tele	phone	650	-493-	9300	300 Fax 650-49					3-6811		
I hereby declare that believed to be true; punishable by fine application or any p	and fur or impris	ther that these standard the standard that the standard t	atemen	ts were	made wit	h the	knowled	ge tha	t willful	false sta	tements	and the	like so made are		
Name of Sole	or Fir	st Inventor:			<u> </u>	Аp	etition h	as be	en file	d for thi	is unsigr	ned inv	entor		
Given	Name	(first and middle	e (if an	y)					Fami	ly Name	or Surn	ame			
		Howard								Sai	nds				
Inventor's Signat	ure										Date				
Residence: City		Wilmingtor	ı s	tate	Delaw	аге	Count	iry		JS	Citizer	nship	us		
Post Office Addre	ess	2417 Landon	Drive, \	Wilming	gton, DE	1981	10								
Post Office Addre	ess														
City		Wilmington	s	tate	Delaw	are	ZIP		198	10	Count	ry	us		
☐ Additional inve	ntors ar	e being named o	n the	supp	lemental	Addit	tional Inv	entor((s) she	et(s) PT	O/SB/02/	attach	ned hereto:		





Please Type a plus sign (+) inside this box

+ Approved for use through 9/30/98,OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S)
Suppl mental Sheet
Page 1 of 1

Name of Additional	Name of Additional Joint Inventor, if any:					nas	been filed for	this unsig	jned	inventor	
Given Name	(first and middle (i	f any)		Family Name or Surname							
	Awadhesh			Mishra							
Inventor's Signature	مبو	بسن	wh		<u> </u>			Date July 24			
Residence: City	Quebec	State	Verd	lun	n Country CANADA		CANADA	Citizenship		India	
Post Office Address	670 De Gaspe #2	10, Nuns Is	land, V	erdun	Quebec H3	SE 1	H8 CANADA				
Post Office Address											
City	Quebec	State	Verd	lun	ZIP	H3E IH8		Country		CANADA	
Name of Additional	if any:			A petition h	nas	been filed for	this unsig	ned	inventor		
Given Name	•	Family Name or Surname									
Inventor's Signature								Date			
City		State			Country			Citizensh	nip		
P st Office Address											
P st Office Address											
City		State			ZIP			Country			
Name of Additional	Joint Inventor,	if any:		A petition has been filed for this unsigned inventor							
Given Name	(first and middle (i	f any)					Family Name	or Surnan	1e		
Inventor's Signature			<u>, </u>					Date			
City		State			Country			Citizensh	nip		
P st Office Address											
Post Office Address											
City		State			ZIP			Country			

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M

Practitioner's Docket No.: 12, 96-898



0400

POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS

70 E	UNDER 37 C.F.R. § 3.7
, all the	
Arthurn Mersigned AS	SIGNEE of the entire interest

U.S. Patent No. ____
 U.S. application no. 09/782,184, filed on February 12, 2001

in:

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:

Attorney Name	Reg. No.	Attorney Name	Reg. No.
Paul Davis	29,294	David J. Weitz	38,362
David J. Abraham	39,554	U.P. Peter Eng	39,666
George A. Willman	41,378	Jonathan T. Manson	43,774
Shirley Chen	44,608	Kenta Suzue	45,145
John Gilmore	46,375		,

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

(complete one of the following)

\boxtimes	a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
	the Assignment recorded on at reel, frames
t to 27 C	C. D. S. 2. 73(b) the undersigned Assigned hereby states that evidentiamy documents have been reviewed as

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

Name	David J. Weitz Wilson Sonsini Goodrich and Rosati						
Address							
Address	650 Page Mill Road						
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971	
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811		

ASSIGNEE: RTP Pharma Inc.

Na<u>me:</u>

Date:





POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS

gned ASSIGNEE of the entire interest in:

	U.S. Patent No.	-		
冈	U.S. application no.	09/782,184, filed on	February 12,	2001

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:

Attorney Name	Reg. No.	Attorney Name	Reg. No.
Paul Davis	29,294	David J. Weitz	38,362
David J. Abraham	39,554	U.P. Peter Eng	39,666
George A. Willman	41,378	Jonathan T. Manson	43,774
Shirley Chen	44,608	Kenta Suzue	45,145
John Gilmore	46,375		,

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

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(complete one of the following)

a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
the Assignment recorded on at reel, frames
.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hat, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

Name	David J. Weitz Wilson Sonsini Goodrich and Rosati 650 Page Mill Road					
Address						
Address						
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811	

ASSIGNEE: SuperGen, Inc.

Name:

ate.